UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA

Todd Allen Bellanger,

Civil No. 08-1352 (JMR/SRN)

Petitioner,

v.

ORDER

State of Minnesota,

Respondent.

Todd Allen Bellanger, <u>pro se</u>, Minnesota Correctional Facility, 1101 Linden Lane, Faribault, Minnesota 55021

Michael J. Lieberg, Stearns County Attorney's Office, 705 Courthouse Square, Room 448, St. Cloud, Minnesota 56303, for Respondent

The above-entitled matter is before the Court on the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections were filed to that Report and Recommendation in the time period permitted. Accordingly, based on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

- 1. Petitioner Todd Allen Bellanger's Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1) is **DENIED**; and
- Petitioner Todd Allen Bellanger's Motion for Appointment of Counsel (Doc. No. 12) is **DENIED**.

Dated: December 12, 2008

s/James M. Rosenbaum
JAMES M. ROSENBAUM
United States District Judge